



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**UNITED STATES ARMY GARRISON HESSEN**  
**UNIT 20193, BOX 0001**  
**APO AE 09165-0001**

IMEU-HAN-ZA

APR 3 2006

**MEMORANDUM FOR SEE DISTRIBUTION**

**SUBJECT: Standard Operating Procedures (SOP) for Civilian Misconduct Actions for USAG Hessen Commander Signature and Maintaining USAG Hessen Bar List**

**1. References:**

- a. Army in Europe Regulation 27-9, Misconduct by Civilians, 27 October 2003
- b. Army in Europe Regulation 27-10, Military Justice, 30 March 2005

**2. Purpose:** To standardize procedures for civilian misconduct actions requiring decision by the USAG Hessen Commander and input and management of the consolidated USAG Hessen bar list.

**3. Scope:** The procedures outlined in this SOP apply to all Civilian Misconduct Action Authorities (CMAAs) and their assistants in USAG Hessen.

**4. Discussion**

a. Procedures for processing civilian misconduct actions to be signed by the USAG Hessen Commander.

(1) Decision files compiled by ACMAAs and approved by the CMAAs will be forwarded to the Legal Service Centers that are responsible for their areas for a legal review.

(2) Attorneys from the servicing legal center will provide a legal review, resolve any issues with the ACMAA or CMAA directly, and then forward the action with a legal review directly to the USAG Hessen ACMAA for review and action by the Commander, USAG Hessen.

(3) USAG Hessen ACMAA will return the completed package with signatures to the originating ACMAA.

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b. Required coordination for civilian misconduct actions to be signed by the USAG Hessen Commander.

(1) Chain of Command: for all actions involving Family members of SM

(2) Servicing CPAC: for all action on civilian GS and NAF employees

(3) DODDS: for all DODDS employees

(4) Contract employees: contracting officer's representative

(5) AAFES personnel office: all actions involving AAFES personnel

(6) Servicing Legal Centers all actions (actions involving employees should be coordinated with a labor counselor)

c. Decision files contents for civilian misconduct actions to be signed by the USAG Hessen Commander, will be tabbed and indexed in a table of contents. All decision files packages must contain at least the following, when applicable:

(1) All relevant documentary evidence. Examples are police reports, documents showing DODDS disposition, such as suspensions and expulsions, German police or court action, IRACO reports, social work services reports or findings, documents regarding the performance in drug and alcohol classes, etc.

(2) Prior notification(s)

(3) Rebuttal by offender or sponsor if one was submitted. Verbal rebuttal will be documented by the ACMAA in an MFR.

(4) Dispositions regarding the proposed action(s) by tailored garrison CMAA

(5) Recommendations from the chain of command. These recommendations must be signed by the Garrison Commander.

(6) Information regarding previous offenses; full police reports, etc, where previous misconduct is relied upon to determine recommendation or action.



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(7) Letter recommended for signature by the USAG Hessen Commander. Be prepared to provide electronic copies to SJA or USAG Hessen ACMAA to expedite changes if necessary.

(8) Legal opinion by the reviewing attorney

(9) Actions regarding Military Extraterritorial Jurisdiction Act of 2000 (MEJA 2000) if necessary.

(10) Decision on whether Germans are going to prosecute the individual(s) involved if necessary.

d. Bar list: The USAG Hessen DES will create a consolidated data base for USAG Hessen and USAREUR/7<sup>th</sup> Army wide bars. The information in this database will be directly input by the Assistant Civilian Misconduct Action Authorities (ACMAAs). Only the ACMAAs will have access to input, change, and delete data. All other users will have read-only access. From the data base ACMAAs will have the ability to compile and print reports from data input.

(1) Format: The following information will be put into the data base for all USAG Hessen bar actions:

- Name of barred individual (Last, First, MI)
- ID Type (SSN, Ausweis Number, or Passport Number)
- Effective date of the bar
- Expiration date of the bar
- Unit/Address
- MACOM imposing the bar
- Level of the bar (BSB, USAG Hessen or USAREUR)
- Barring Authority (BSB or USAG Hessen Commander)
- Remarks: Note any unusual or important information such as special conditions on the bar, for example, partial bar to allow access to work, or other loss of logistical such as APO, or driving privileges (no need to note loss of AAFES or MWR privileges for total USAG Hessen bars).

(2) Maintenance: Each ACMAA is responsible for inputting and deleting, on an as needed basis all USAG Hessen and USAREUR/7<sup>th</sup> Army wide bars issued by their respective ACMAAs. Once a month a report will be printed by the USAG Hessen ACMAA and kept on file.

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(3) Access: The following organizations shall have read-only access to the bar list:

USAG Hessen and Tailored Garrisons

-S1  
-S2  
-PMO

Other

-SJA  
-CPAC/CPOC (AF/NAF)  
-CID  
-Ponds Security  
-AAFES HRO

5. This SOP supersedes subject: Command Policy (CP) O-3, Bar from Entry Requirements dated 7 January 2002.

6. The point of contact is Mr. Woods, USAG Hessen, ACMAA at DSN 322-1770, CIV 06181-88-1770.

FOR THE COMMANDER:



ROBERT KANDLER

Deputy to the Commander

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CDR, USAG Baumholder, Unit #23746, Box 37, ATTN: Legal Service Center, APO AE 09034

CDR, USAG Giessen, Unit #20911, ATTN: Legal Service Center (CPT Dohn), APO AE 09045

CDR, USAG Hessen, Unit #20193, ATTN: Hanau Legal Center (Mr. Barlow), APO AE 09165

CDR, USAG Hessen, V Corps, Labor Attorney (Mr. Nollenberger), APO AE 09165